



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE September 1, 2006 EFFECTIVE DATE September 16, 2006	CONTACT/PHONE Mike Wulkan, Project Planner 805-781-5608	APPLICANT Helen Brown	FILE NO. DRC2005-00164
SUBJECT Request by Helen Brown for a Minor Use Permit/Coastal Development Permit to allow demolition of an existing, approximately 860 square-foot single family dwelling and a detached garage, and development of an approximately 2,120 square-foot, two-story single family dwelling, including an approximately 250 square-foot attached garage, plus decks. The project will result in the disturbance of approximately 3,400 square feet of an approximately 4,000 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 50 6 th Street, approximately 230 feet northeast of Pacific Avenue, in the community of Cayucos. The site is in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2005-00164 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 1 and 3 Categorical Exemption was issued on July 17, 2006 (ED06-020)			
LAND USE CATEGORY Residential Single-Family	COMBINING DESIGNATION Local Coastal Program	ASSESSOR PARCEL NUMBER 064-145-025	SUPERVISOR DISTRICT: 2
PLANNING AREA STANDARDS: Cayucos Urban Area: Communitywide #2: Setbacks - Communitywide Cayucos Urban Area: RSF #2-5: Community Small Scale Design Neighborhood permit requirements, findings, standards, and guidelines <i>Does the project meet applicable Planning Area Standards? Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Section 23.04.180 et seq.: Landscape, Screening and Fencing Section 23.07.120: Local Coastal Program <i>Does the project conform to the Land Use Ordinance Standards? Yes - see discussion.</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective following the required 14-calendar day appeal period after the administrative hearing.			
EXISTING USES: Single-family residence, detached garage/guest room			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Single Family Residential (SFR)/single-family residences <i>South:</i> SFR/single-family residences <i>East:</i> SFR/single-family residences <i>West:</i> SFR/single-family residences			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Citizens Advisory Council, Public Works, Cayucos Fire Protection District, Cayucos Sanitary District, Paso Robles Beach Water Association, and the California Coastal Commission.	
TOPOGRAPHY: Nearly level	VEGETATION: Ornamental landscaping, ornamental tree
PROPOSED SERVICES: Water supply: Paso Robles Beach Water Association Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire Protection District	ACCEPTANCE DATE: July 6, 2006

DISCUSSION

PLANNING AREA STANDARDS: SMALL SCALE DESIGN NEIGHBORHOOD

STANDARD/GUIDELINE	REQUIRED/ALLOWABLE	PROPOSED	STATUS
FRONT SETBACKS			
GROUND FLOOR	15' MIN.	20'	O.K. ¹
2 ND FLOOR ADDITIONAL SETBACK	3' MIN. (OPEN-RAIL, UNCOVERED DECK O.K.)	3-8.3'	O.K.
LOWER STORY WALL HEIGHT	12' MAX.	12'	O.K.
SIDE SETBACKS			
LOWER FLOOR	4' MIN.	4'	O.K.
UPPER STORY	2.5' MIN. ADDITIONAL (30% OF UPPER STORY SIDE WALL MAY ALIGN WITH LOWER FLOOR IN REAR 2/3 OF STRUCTURE)	2' ADDITIONAL; 0% ALIGNMENT	O.K.
REAR SETBACK	10' MIN.	12'	O.K.
HEIGHT	24' MAX. WITH 5:12 ROOF PITCH	23.9' WITH 5:12 ROOF PITCH	O.K.
GSA	55%, NOT > 2,500 FT. ² UPPER FLOOR NOT GREATER THAN 60% OF LOWER FLOOR	53%, 2,120 FT. ² UPPER FLOOR = 34% OF LOWER FLOOR	O.K.
UPPER FLOOR DECK RAIL HEIGHT	36"	36"	O.K.
PARKING	1 10X20' MIN. ENCLOSED SPACE, 1 SPACE WITHIN FRONT SETBACK WITH 20' MIN. GARAGE SETBACK	1 ENCLOSED 10X20' SPACE, 1 SPACE BEHIND FRONT SETBACK	O.K.
DRIEVEWAY WIDTH	18' MAX.	11'	O.K.
GUIDELINES	MINIMIZE IMPACTS ON ADJ. RESIDENCES; ARCH. DETAILS TO REDUCE APPARENT MASS; LANDSCAPING TO REDUCE SCALE	COMPLIES	O.K.

Footnotes:

1. The proposed wood platform within the front setback is allowable because it is less than 30 inches high and is therefore not considered a deck (which is not allowable within the front setback).

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.04.18 et seq. - Landscape, Screening and Fencing

The proposed landscape plan shows nearly all of the yard areas covered with concrete, except for two small planters adjacent to the house and an approximately 3 by 32-foot strip of landscaping in the rear yard. Nearly the entire front yard is to be covered with a wood platform and stamped concrete. The landscape standards in Section 23.04.186 allow the use of both pervious and impervious materials (such as concrete) in landscaped areas; however, the purposes of the landscape standards include providing for areas that can absorb rainfall to assist in reducing storm water runoff, controlling erosion, and enhancing the appearance of structures and property (Coastal Zone Land Use Ordinance Section 23.04.080). Staff finds that the proposed front yard treatment does not meet the intent of the landscape standards. Therefore, the project is conditioned to require a revised landscaping plan that specifies primarily plant materials in the front yard, with some pervious hardscape materials allowable, instead of concrete.

Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

Does the project meet applicable Coastal Zone Land Use Ordinance Standards: Yes, as conditioned.

COASTAL PLAN POLICIES:

The project is consistent with the Local Coastal Plan. The most relevant policies follow.

Shoreline Access: ☒ Policy No. 2: New Development

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: N/A

Agriculture: N/A

Public Works: N/A

Coastal Watersheds: N/A

Visual and Scenic Resources: ☒ Policy 2: Site Selection for New Development

Hazards: N/A

Archaeology: ☒ Policy 1: Protection of Archaeological Resources

Policy 4: Preliminary Site Survey:

Air Quality: N/A

COASTAL PLAN POLICY DISCUSSION:

Shoreline Access

Policy 2: The proposed project is consistent with this policy that new development provide maximum public access from the nearest public roadway to and along the shoreline, with exceptions, because the proposed residence is not between the first public road and the shoreline, adequate vertical access to the coast already exists within 1/4 mile of the site, and the project will not interfere with public access to the coast.

Visual and Scenic Resources

Policy 2, Site Selection for New Development: The proposed project is consistent with this policy because the development is sited to protect views to and along the ocean through compliance with the standards for Small-Scale Design Neighborhoods. The proposed dwelling will not interfere with public views of the ocean, as the ocean is not visible from public areas as viewed in the direction of the site.

Archaeology

Policy 1: Protection of Archaeological Resources; Policy 4: Preliminary Site Survey: The proposed project is consistent with these policies to protect known and potential archaeological resources, and to require a preliminary site survey. A qualified professional conducted a Phase I cultural resources survey on August 26, 2005. The survey did not find evidence of prehistoric or early historic resources. The existing buildings to be demolished are older than 50 years and were therefore evaluated, but were found not to constitute significant historic resources. The project is conditioned to protect archaeological resources in the unlikely event that they are unearthed or discovered during construction.

Does the project meet applicable Coastal Plan Policies? Yes, as conditioned.

COMMUNITY ADVISORY GROUP COMMENTS:

The Land Use Committee of the Cayucos Citizens Advisory Council reviewed the proposed project on April 27, 2006 and recommended approval without the need for review by the full Advisory Council. Minor revisions to the design were subsequently made at the request of staff in order to meet the required upper story setback, but the design remains similar to that reviewed by the Land Use Committee.

AGENCY REVIEW:

Public Works: Recommend approval.

Cayucos Sanitary District: No comments submitted prior to preparation of this staff report

Paso Robles Beach Water Association: No comment

Cayucos Fire Protection District: No comment.

California Coastal Commission: No comments submitted prior to preparation of this staff report.

LEGAL LOT STATUS:

The existing lot was legally created by a recorded map at a time when that was a legal method of creating lots (Lot 21, Block 9, Paso Robles Beach #1).

Staff report prepared by Mike Wulkan and reviewed by Matt Janssen.

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Classes 1 and 3) pursuant to CEQA Guidelines Sections 15301 and 15303, because the proposed project consists of demolition of a single-family residence and accessory structure, and new construction of one single family residence in a residential zone.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan, because a single-family residence is an allowable use, and as conditioned, is consistent with all of the General Plan policies, including Coastal Plan policies for archaeology and visual and scenic resources.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use, because the construction of a single-family residence does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety, and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development, because the proposed single-family residence is similar in nature to, and will not conflict with, the surrounding lands and residential uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project, because the project consists of replacing an existing residence with a new residence and will therefore not generate additional traffic, and because the project is located on 6th Street, a local road constructed to a level able to handle the traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and will not inhibit access to the coastal waters and recreation areas, and because adequate vertical access to the coast already exists within 1/4 mile of the site.

Small Scale Design Neighborhood

- H. The proposed project meets the Community Small-scale Design Neighborhood standards and guidelines, and is therefore consistent with the character and intent of the Cayucos Community Small-Scale Design Neighborhood.
- I. Public views of the ocean from Highway One or the respective neighborhood are not being further limited, because the ocean is not visible from public areas as viewed in the direction of the site.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes development of a new single family residence having a gross structural area of approximately 2,120 square feet, including an approximately 250 square-foot attached garage and decks.
2. All development shall be consistent with the approved site plan, floor plans, elevations, and landscape plan. Upper story deck railing shall be no higher than 36 inches.

Conditions required to be completed at the time of application for construction permits

3. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations, and landscape plan.
4. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Conditions to be completed prior to issuance of a construction permit

Landscape Plan

5. **Prior to issuance of a construction permit**, submit a revised and final landscape plan to the Department of Planning and Building for review and approval. The revised plan shall specify primarily plant materials in the front yard instead of concrete, with some pervious hardscape materials allowable.

Fees

6. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Public Works

7. **Prior to issuance of a construction permit**, the applicant shall apply for and obtain an encroachment permit for the driveway from the County Department of Public Works if determined by that Department to be needed.

Services

8. **Prior to issuance of a construction permit**, the applicant shall submit to the Development Review staff evidence from the Cayucos Sanitary District that they will serve the project, and that all of their requirements, including payment of fees, have been met.
9. **Prior to issuance of a construction permit**, the applicant shall provide a letter from the Paso Robles Beach Water Association stating that they are willing and able to service the property.

Fire Safety

10. **Prior to issuance of a construction permit**, the applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cayucos Fire Protection District.

Conditions to be completed during project construction

Building Height

11. The maximum height of the project is 24 feet as measured from the centerline of 6th Street at a point midway between the two side property lines, projected to the street centerline.
 - a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners and building corners, establish the elevation of the centerline of 6th Street at a point midway between the two side property lines, projected to the street centerline, and set a reference point (benchmark).
 - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Archaeology

12. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Conditions to be completed prior to final building inspection

Landscaping

13. **Prior to final building inspection**, landscaping in accordance with the approved landscaping plan shall be installed or bonded for to ensure the implementation of landscaping. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.

Fire Safety

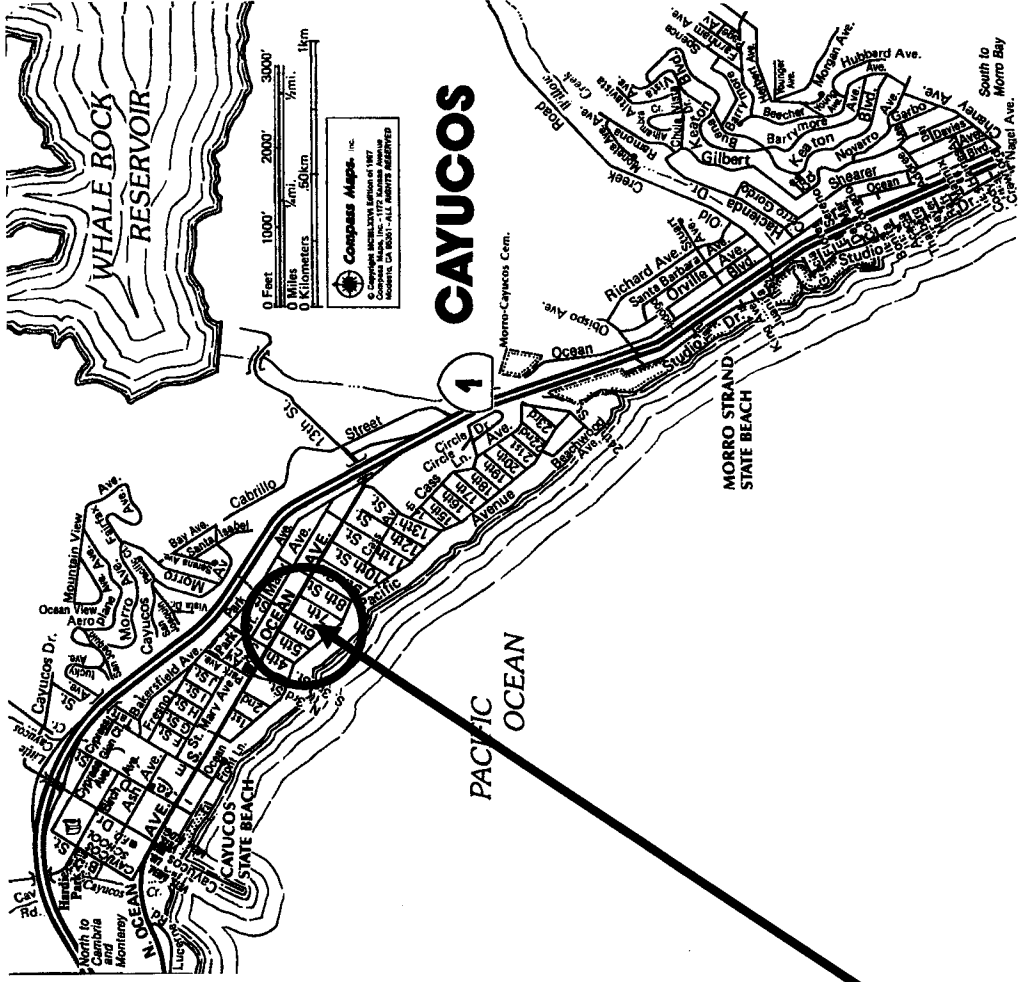
14. **Prior to final inspection**, the applicant shall obtain final inspection and approval from Cayucos Fire Protection District for all required fire/life safety measures.

Miscellaneous

15. **Prior to final inspection or occupancy of any structure associated with this approval, whichever comes first**, the applicant shall contact the County Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

16. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Coastal Zone Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Coastal Zone Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
17. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.



SITE

PROJECT

Minor Use Permit
Brown DRC2005-00164

EXHIBIT

Vicinity Map



SITE



PROJECT

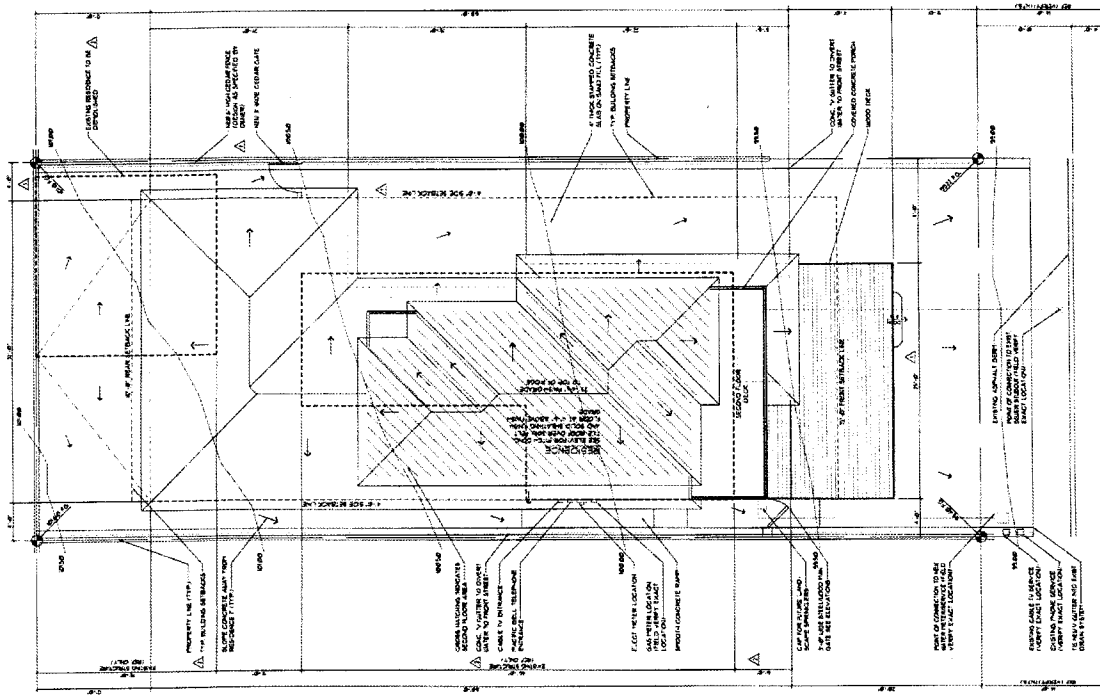
Minor Use Permit
Brown DRC2005-00164

EXHIBIT

Land Use Category



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

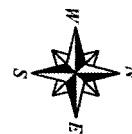
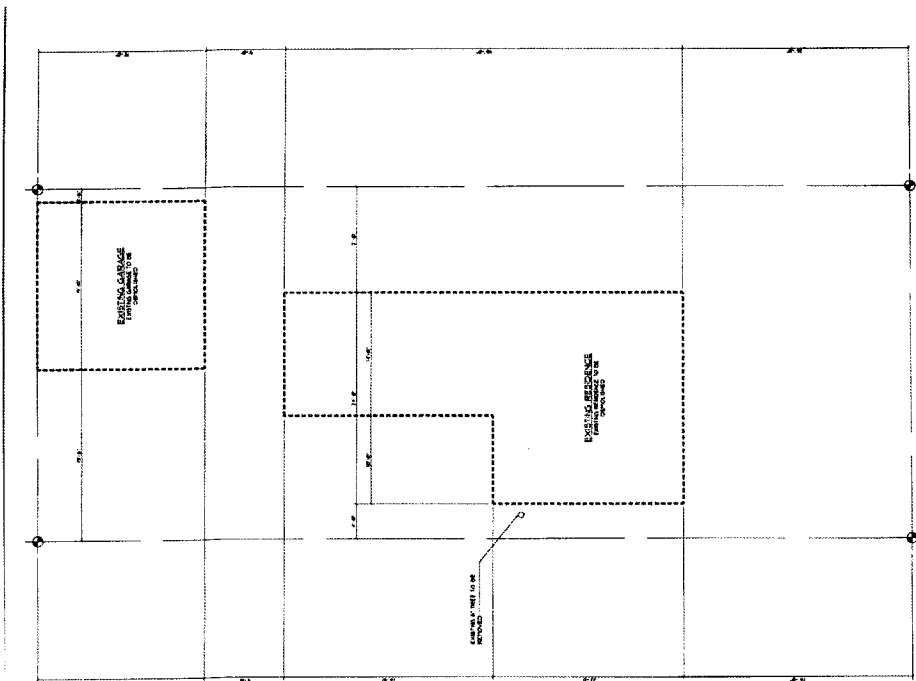
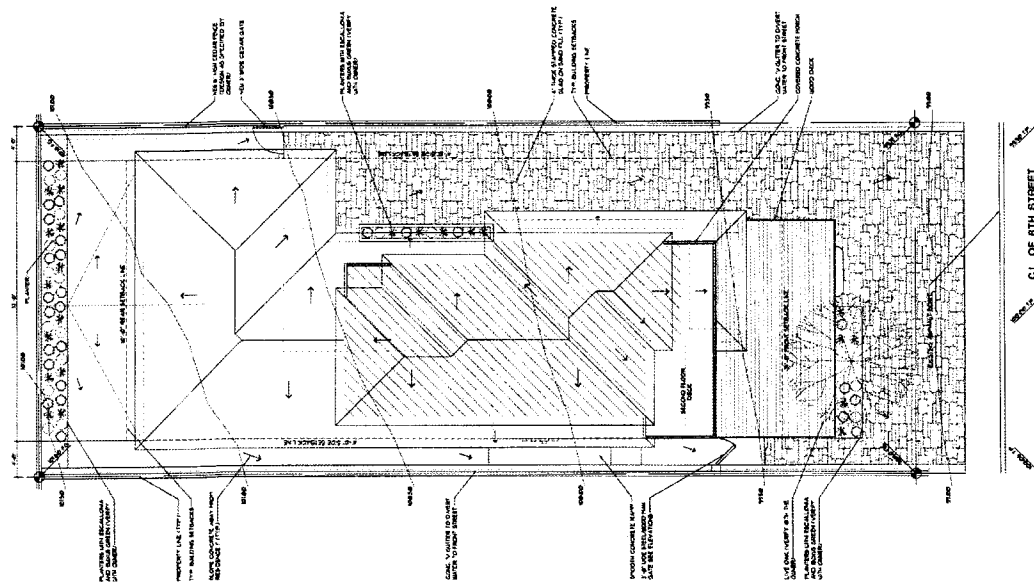
Minor Use Permit
Brown DRC2005-00164



EXHIBIT

Site Plan

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



EXHIBIT

Demolition and Landscape Plan



PROJECT

Minor Use Permit
Brown DRC2005-00164

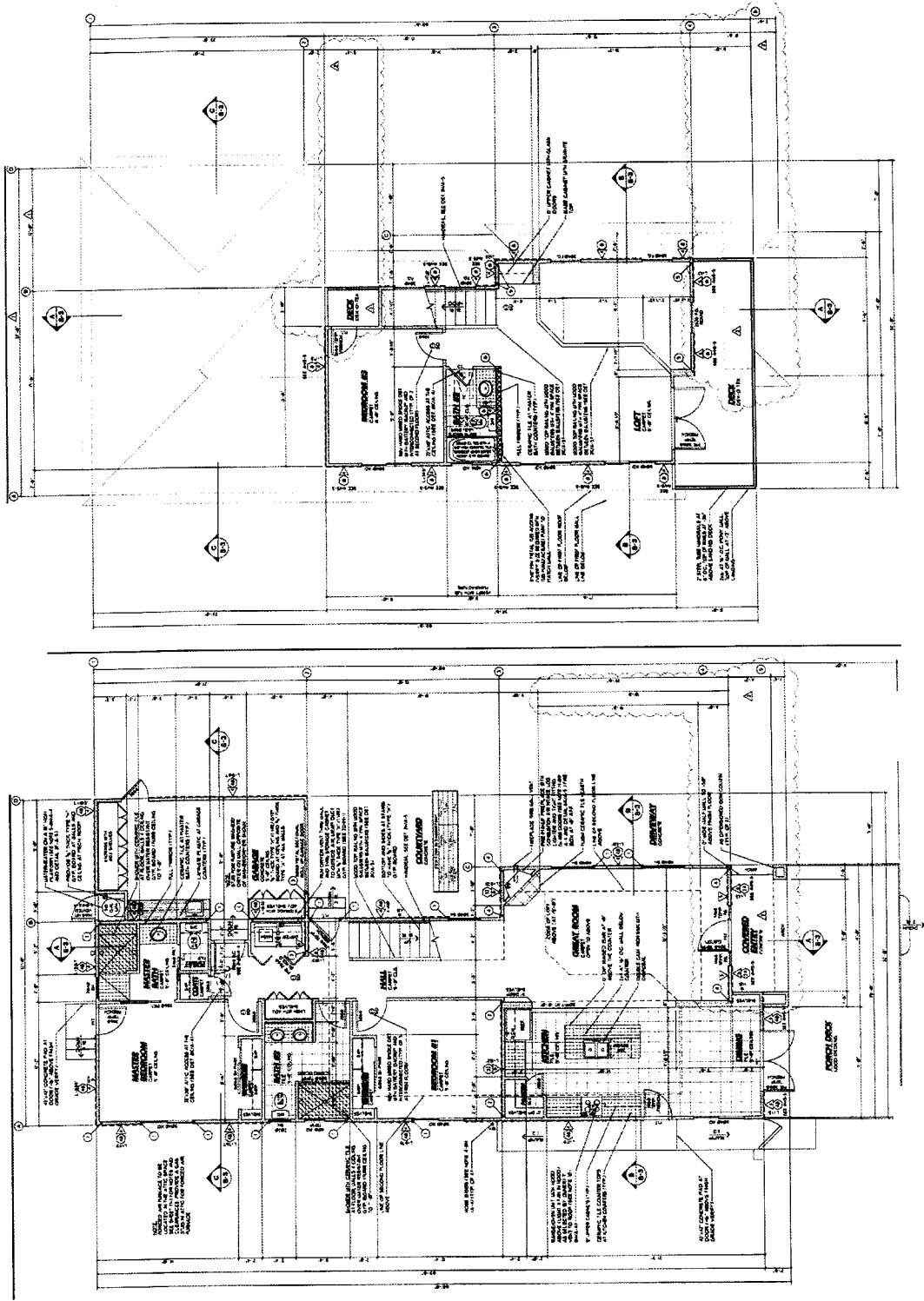
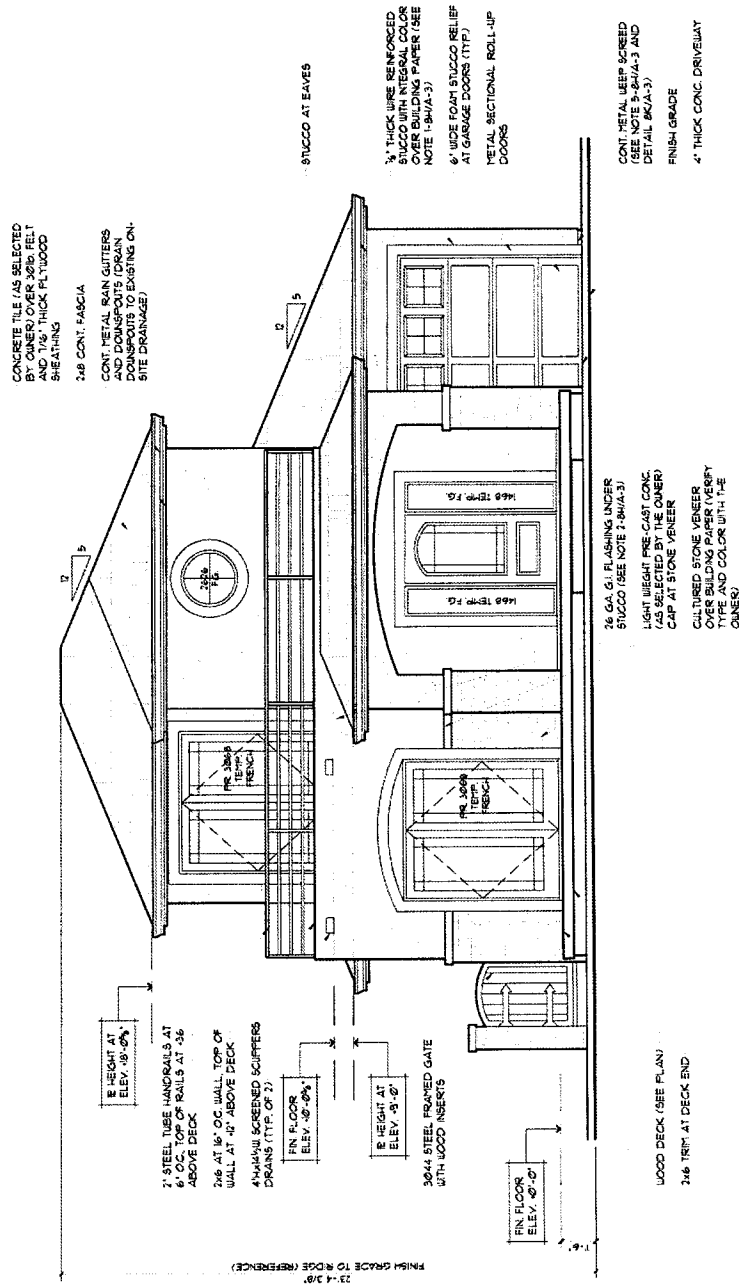


EXHIBIT Floor Plans



PROJECT Minor Use Permit
Brown DRC2005-00164



FRONT ELEVATION

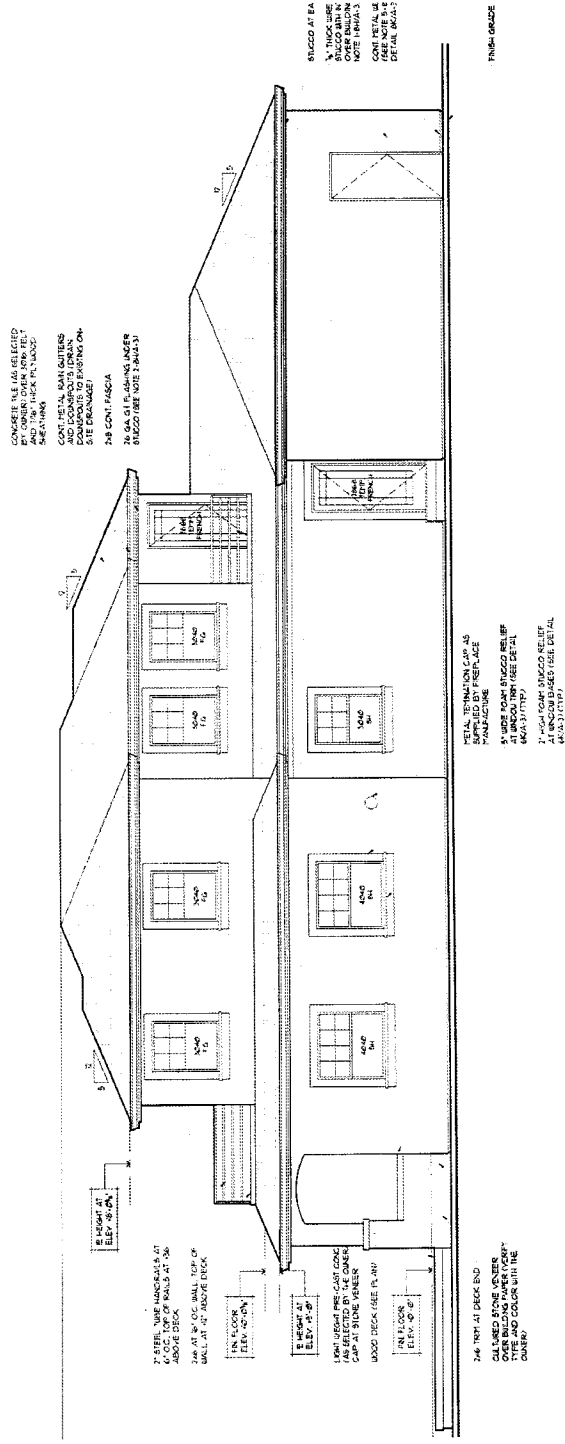
EXHIBIT

Front Elevation

PROJECT

Minor Use Permit
Brown DRC2005-00164





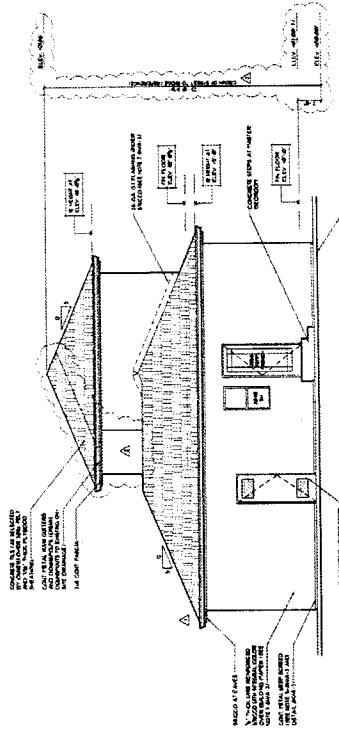
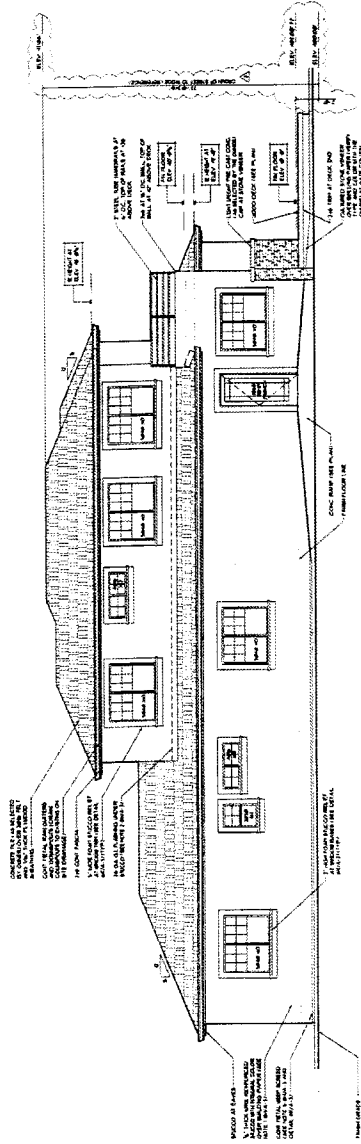
PROJECT

Minor Use Permit
Brown DRC2005-00164

EXHIBIT

Right Elevation





PROJECT

Minor Use Permit
Brown DRC2005-00164

EXHIBIT

Left and Back Elevation



Cayucos

Land Use Committee

Project Approved

MEMO

TO: Mike Wulkan
FROM: Mary Ann Carnegie 995-3659 or email ecarnegi@calpoly.edu
DATE: 5/23/06
RE: Helen Brown DRC2005-00164
50 6th Street APN 064-145-025

This project was reviewed by the Land Use committee at it April 27, 2006 Meeting.

This project is requesting a MUP to demolish the existing home and garage in order to develop a new SFR of 2,172 sq. ft. within the sensitive small scale neighborhood. The home will be a new two-story home with an attached garage of 273 sq. ft.. The lot size is 4,000 sq. so the maximum GSA allowed would be $55\% = 2200$ sq. ft. the current referral indicates the first floor is 1365 + the garage of 273 sq. ft. = 1638. the second floor can be 60% of the first which would be 982, but the applicant is only requesting 500. So $1638 + 500 = 2,138$ which is well within the allowable amount of GSA/

The 4 ft. side setbacks on the first floor to meet the 2.5 second story setbacks seems to be met, as do all the other requirements and standards.

The committee basically felt that this particular project met the intent of the small scale neighborhood standards very nicely in both the requirements and the overall architectural design of the home. It found no points of discretion or other questions and recommended that the project be able to move forward to meeting completion by the clients. It should be a nice new asset to the neighborhood and the community. It was recommended that it need not go before the full advisory council for further review or input.

Concerns: None

Recommendations:

The Land Use Committee recommends full approval of the project without need to go before the full advisory council..

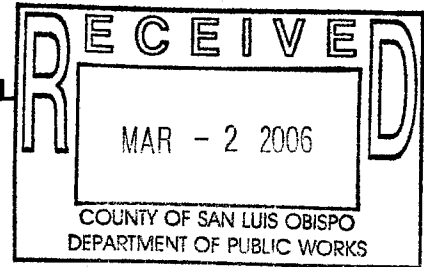


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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE: 3-1-06

From TO: PW

To FROM: ☐ - South County Team ☐ - North County Team ☒ - Coastal Team

PROJECT DESCRIPTION: File Number: mup DRC 2005-00164 Applicant: Brown
mup - new 2,172 sq. ft. SFR located in
Cayucos off 10th Street. APN: 064-145-025

Return this letter with your comments attached no later than: 3-16-06

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
☐ NO

(Please go on to PART II.)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☒ NO

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

no recommend approval

3-8-06
Date

Lin Collins
Name

5271
Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us

FAX: (805) 781-1242

WEBSITE: <http://www.sloplanning.org>

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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 3-1-06

TO:

Paso Robles Beach Water AssocFROM: ☐ - South County Team☐ - North County Team☒ - Coastal Team

PROJECT DESCRIPTION: File Number: mup DRC 2005-0064 Applicant: Brown
mup - new 2,172 sq. ft. SFR located in
Cayucos off 10th Street. APN: 064-145-025

Return this letter with your comments attached no later than: 3-16-06

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

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IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No Comment
3/2/06 RK Lyon 995-3766
 Date Name Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 3-1-06

TO: Cayucos Fire

FROM: ☐ - South County Team

☐ - North County Team

☒ - Coastal Team

PROJECT DESCRIPTION: File Number: mup DRL 2005-00164 Applicant: Brown
mup - new 2,172 sq-ft. SER located in
Cayucos off 10th Street. APN: 064-145-025

Return this letter with your comments attached no later than: 3-16-06

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
☐ NO

(Please go on to PART II.)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☒ NO

(Please go on to PART III)

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Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No Comment

3-7-06
Date

Bill Rakes
Name

995-3372
Phone